

MINUTES OF MEETING  
RUSH RIVER WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
JANUARY 23, 2015

The Rush River Water Resource District met on January 23, 2015, at 1:30 p.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Raymond Wolfer, Chairman; William A. Hejl, Manager (by phone); Dick Sundberg, Manager; Carol Harbeke Lewis, Secretary-Treasury; Brenda Lovgren, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Mike Opat, Engineer for the Board; Pat Downs, Red River Retention Authority; Terry Hoffman and Eric Dahl, Cass County Soil Conservation District; Lloyd Knight, Kyle Faught, and Paul Faught, Amenia Township property owners; Steve Gruden, West Fargo resident; and Tim Iwen, Arthur resident.

**Reorganization of the Board for 2015**

It was moved by Manager Sundberg and seconded by Manager Hejl to appoint the following individuals to serve in the designated capacities for calendar year 2015:

|                     |  |
|---------------------|--|
| Raymond Wolfer      | Chairman   |
| William A. Hejl     | Vice Chairman  |
| Carol Harbeke Lewis | Secretary-Treasurer  |
| William A. Hejl     | Cass County Joint Water Resource<br>District alternate representative #1 |
| Dick Sundberg       | Cass County Joint Water Resource<br>District alternate representative #2 |
| William A. Hejl     | Red River Joint Water Resource<br>District representative                |
| Dick Sundberg       | Red River Joint Water Resource<br>District alternate representative      |

Upon roll call vote, the motion carried unanimously.

**2015 meeting dates**

The Board discussed its regular meeting dates for the year 2015. It was moved by Manager Sundberg and seconded by Manager Hejl to adopt the following resolution. Upon roll call vote, the motion carried unanimously.

RESOLUTION

BE IT RESOLVED, that the Rush River Water Resource District does hereby set the third Tuesday of February through March at 9:00 a.m., the third Tuesday of April through October at 8:00 a.m., and the third Tuesday of November and December at 9:00 a.m. in the Cass County Highway Department building, 1201 Main Avenue West, West Fargo, North Dakota, as its regular meeting dates, times and place for the year 2015.

BE IT FURTHER RESOLVED, that the Secretary be and she hereby is directed to forward a copy of said schedule of meetings to the Cass County Auditor and to post said schedule at the Water Resource District's principal office and the location of the scheduled meetings, all in accordance with the provisions of Section 44-04-20 as amended.

APPROVED:

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Raymond Wolfer  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer

**Designation of depositories of Rush River Water Resource District public funds**

It was moved by Manager Sundberg and seconded by Manager Hejl to designate the following as depositories of Rush River Water Resource District public funds:

Alerus Financial  
Bell State Bank & Trust  
First State Bank of North Dakota (Casselton)

Upon roll call vote, the motion carried unanimously.

### **Pledges of Assets**

It was moved by Manager Sundberg and seconded by Manager Hejl to approve the following Pledges of Assets:

Alerus Financial (as per agreement of March 7, 1996)

Upon roll call vote, the motion carried unanimously.

### **Review of contract for legal services**

It was moved by Manager Hejl and seconded by Manager Sundberg to appoint Ohnstad Twichell, P.C. as legal counsel for the Rush River Water Resource District for calendar year 2015. Upon roll call vote, the motion carried unanimously.

### **Minutes**

It was moved by Manager Sundberg, seconded by Manager Hejl and unanimously carried to approve the minutes of the December 16, 2014, meeting.

### **Lower Rush River**

Mike Opat reported that a letter requesting de-authorization for the federal project on the Rush River will be sent to the Corps of Engineers. Permit applications will be submitted to extend Drain #52. A cost-share request will be submitted to the State Water Commission for the project by February 11, 2015.

### **Detention Project Planning Teams**

Teams are being formed for Detention Project Planning. Manager Sundberg will be a representative for the Rush River team. Each team will establish a “purpose and need” for each project. The Cass County Joint Water Resource District will coordinate cost share for the projects.

### **Emergency Action Plan updates**

It was moved by Manager Hejl and seconded by Manager Sundberg to authorize Moore Engineering, Inc. to update and reprint the Emergency Action Plans (EAPs) regarding dams within the Rush River Water Resource District boundaries. Upon roll call vote, the motion carried unanimously.

### **Utility Permit form**

It was moved by Manager Hejl and seconded by Manager Sundberg to approve the updated *Utility Form*, as presented. Upon roll call vote, the motion carried unanimously.

### **Bills**

It was moved by Manager Hejl and seconded by Manager Sundberg to approve payment of Checks #4004 through #4017, and the electronic funds transfers, as presented. Upon roll call vote, the following Managers voted in favor: Wolfer, Hejl, and Sundberg. The Chairman declared the motion passed.

**Crop damage payments**

The Board discussed putting something in writing for property owners so they know what information needs to be provided for crop damage payments. Options discussed were using the commodity price the date documents are signed, assembly sheets or proof of contract prices. Tim Iwen suggested the Board require confirmation of the field the crop was taken from also.

**HB 1332**

Sean Fredricks reported to the Board that letters of opposition will be submitted to the North Dakota Legislature regarding HB 1332.

**Adjournment**

There being no further business to be considered by the Board, it was moved by Manager Sundberg, seconded by Manager Hejl, and unanimously carried to adjourn the meeting.

APPROVED:

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Raymond Wolfer  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer